IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

Liberty Media Holdings, LLC,	)	CV 11-00262DAE-RLP
	)	
Plaintiff(s),	)	
	)	
vs.	)	
	)	
Liberty Media Holdings, LLC,	)	
	)	
Defendant(s).	)	
______________________________	)	

RULE 16 SCHEDULING ORDER

Pursuant to Fed. R. Civ. P. 16 and LR 16.2, a scheduling conference was held on November 2, 2011, before the Honorable Richard L. Puglisi, United States Magistrate Judge. Appearing at the conference were Seth M Reiss, Esq., Marc Randazza, Esq., and Ervin Hatcher (Pro se).

Pursuant to Fed. R. Civ. P. 16(e) and LR 16.3, the Court enters this scheduling conference order:

TRIAL AND PRETRIAL CONFERENCE SCHEDULING:

1. **NON-JURY** trial in this matter will commence before the Honorable David Alan Ezra, United States District Judge on November 6, 2012, at 9:00 AM.

2. A final pretrial conference shall be held on September 25, 2012, at 9:30 AM before the Honorable Richard L. Puglisi, United States Magistrate Judge.

3. (RESERVED)

4. Pursuant to LR 16.6, each party herein shall serve and file a separate final pretrial statement by September 18, 2012.

MOTIONS:

5. All motions to join additional parties or to amend the pleadings shall be filed by April 6, 2012.

6. Other non-dispositive motions, except for motions in limine and discovery motions, shall be filed by August 8, 2012.

7. Dispositive motions shall be filed by June 6, 2012.

8. Motions in limine shall be filed by October 16, 2012.

Any opposition memorandum to a motion in limine shall be filed by October 23, 2012.

DISCOVERY:

9. Unless and until otherwise ordered by the Court, the parties shall follow the discovery plan agreed to by the parties herein pursuant to Fed. R. Civ. P. 26(f).

10. (RESERVED)

11. Pursuant to Fed. R. Civ. P. 26(a)(2), each party shall disclose to each other party the identity and written report of any person who may be used at trial to present expert evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence. The disclosures pursuant to this paragraph shall be according to the following schedule:

- **a.** All plaintiffs shall comply by May 7, 2012.
- **b.** All defendants shall comply by June 6, 2012.

Disclosure of the identity and written report of any person who may be called solely to contradict or rebut the evidence of a witness identified by another party pursuant to subparagraphs a and b hereinabove shall occur within thirty (30) days after the disclosure by the other party.

12. Pursuant to Fed. R. Civ. P. 16(b)(3) and LR 16.2(a)(6), the discovery deadline shall be September 7, 2012. Unless otherwise permitted by the Court, all discovery pursuant to Federal Rules of Civil Procedure, Rules 26 through 37 inclusive must be completed by the discovery deadline. Unless otherwise permitted by the Court, all discovery motions and conferences made or requested pursuant to Federal Rules of Civil Procedure, Rules 26 through 37 inclusive and LR 26.1, 26.2 37.1 shall be heard no later than thirty (30) days prior to the discovery deadline.

SETTLEMENT:

13. A settlement conference shall be held on N/A.

14. Each party shall deliver to the presiding Magistrate Judge a confidential settlement conference statement by N/A.

15. The parties shall exchange written settlement offers and meet and confer to discuss settlement before the date on which settlement conference statements are due.

TRIAL SUBMISSIONS:

16. (RESERVED)

17. (RESERVED)

18. (RESERVED)

19. (RESERVED)

20. (RESERVED)

WITNESSES:

21. By October 16, 2012, each party shall serve and file a final comprehensive witness list indicating the identity of each witness that the party will call at trial and describing concisely the substance of the testimony to be given and the estimated time required for the testimony of the witness on direct examination.

22. The parties shall make arrangements to schedule the attendance of witnesses at trial so that the case can proceed with all due expedition and without any unnecessary delay.

23. The party presenting evidence at trial shall give notice to the other party the day before of the names of the witnesses who will be called to testify the next day and the order in which the witnesses will be called.

EXHIBITS:

24. By October 9, 2012, the parties shall premark for identification all exhibits and shall exchange or, when appropriate, make available for inspection all exhibits to be offered, other than for impeachment or rebuttal, and all demonstrative aids to be used at trial.

25. The parties shall meet and confer regarding possible stipulations to the authenticity and admissibility of proposed exhibits by October 16, 2012.

26. By October 23, 2012, the parties shall file any objections to the admissibility of exhibits. Copies of any exhibits to which objections are made shall be attached to the objections.

27. The original set of exhibits and two copies (all in binders) and a list of all exhibits shall be submitted to the Court the Thursday before trial.

DEPOSITIONS:

28a. By October 16, 2012, the parties shall serve and file statements designating excerpts from depositions (specifying the witness and page and line referred to) to be used at trial other than for impeachment or rebuttal.

b. Statements counter-designating other portions of depositions or any objections to the use of depositions shall be served and filed by October 23, 2012.

TRIAL BRIEFS:

29. By October 23, 2012, each party shall serve and file a trial brief on all significant disputed issues of law, including foreseeable procedural and evidentiary issues, setting forth briefly the party's position and the supporting arguments and authorities.

PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW:

30. Each party shall serve and file proposed findings of fact and conclusions of law by October 23, 2012.

OTHER MATTERS:

None

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, November 2, 2011.

Richard L. Puglisi
United States Magistrate Judge